

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

Ronald A. Hollon, Sr.,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 2:06-CV-1099-WKW-CSC
)	
CSX Transportation, Inc.,)	
)	
Defendant.)	

DEFENDANT'S PRETRIAL DISCLOSURES

Pursuant to Federal Rule of Civil Procedure 26(a)(3) and the Court's February 8, 2007 Uniform Scheduling Order, Defendant CSX Transportation, Inc. ("CSXT") makes the following disclosures:

(A): The name and, if not previously provided, the address and telephone number of each witness, separately identifying those whom the party expects to be present and those whom the party may call if the need arises:

RESPONSE: See Attachment A hereto.

(B): The designation of those witnesses whose testimony is expected to be presented by means of a deposition and, if not taken stenographically, a transcript of the pertinent portions of the deposition testimony; and

RESPONSE: See Attachment B hereto.

(C): An appropriate identification of each document or other exhibit, including summaries of other evidence, separately identifying those which the party expects to offer and those which the party may offer if the need arises.

RESPONSE: See Attachment C hereto.

DATED: February 13, 2008

Respectfully submitted,

PAUL, HASTINGS, JANOFSKY
& WALKER, LLP
600 Peachtree Street, N.E.
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/s/ Daniel P. Hart
Weyman T. Johnson, Jr.
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Daniel P. Hart
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Attorneys for Defendant
CSX Transportation, Inc.

ATTACHMENT A

DEFENDANT'S WITNESS LIST

Defendant CSX Transportation, Inc. submits this list of witnesses who may be called to testify at trial:

A. Will Be Called:

1. Ronald A. Hollon, Sr.
c/o Gary E. Atchison, Esq.
P.O. Box 2002
492 S. Court St.
Montgomery, AL 36102
(334) 262-7232

B. May Be Called:

1. Travis Mikel Pendergrass*
c/o Sarah Hall, Esq.
CSX Transportation, Inc.
500 Water Street
Suite J150
Jacksonville, FL 32202
(904) 359-1228
2. Rodney Steven Workman*
c/o Sarah Hall, Esq.
CSX Transportation, Inc.
500 Water Street
Suite J150
Jacksonville, FL 32202
(904) 359-1228
3. Frank Leyhew*
CSX Transportation, Inc.
Radnor Yard
4400 CSX Drive
Nashville, TN 37204
(615) 484-9481

* By identifying these individuals, Defendant does not consent to Plaintiff's counsel contacting them for any purpose other than the service of subpoenas. Defendant reserves all objections to any subpoena Plaintiff may serve on these witnesses.

4. Rebecca Callahan*
c/o Sarah Hall, Esq.
CSX Transportation, Inc.
500 Water Street
Suite J150
Jacksonville, FL 32202
(904) 359-1228
5. Jason Tipton*
c/o Sarah Hall, Esq.
CSX Transportation, Inc.
500 Water Street
Suite J150
Jacksonville, FL 32202
(904) 359-1228
6. Jack Frost*
3630 Glenaireview Ct.
Dacula, GA 30019
(770) 904-0618
7. Robert Frulla*
c/o Sarah Hall, Esq.
CSX Transportation, Inc.
500 Water Street
Suite J150
Jacksonville, FL 32202
(904) 359-1228
8. Robert Melotti*
c/o Sarah Hall, Esq.
CSX Transportation, Inc.
500 Water Street
Suite J150
Jacksonville, FL 32202
(904) 359-1228

ATTACHMENT B

DEFENDANT'S DEPOSITION DESIGNATIONS

Defendant CSX Transportation, Inc. submits this itemized list of deposition testimony that

Defendant expects to present at trial:

1. Ronald A. Hollon (September 19, 2007)

103:7-21
106:22-110:4
110:9-12
110:22-112:19
113:11-13
114:18-115:18
118:18-119:21
121:1-23
123:4-124:2
133:12-134:5
225:19-226:10
231:14-232:18

Defendant reserves the right to use any portion of the deposition of any witness for purposes of impeachment.

ATTACHMENT C**DEFENDANT'S EXHIBIT LIST**

Defendant CSX Transportation, Inc. submits this list of exhibits which may be used at trial:

<u>DEF. NO</u>	<u>DESCRIPTION</u>
1.	CSX Code of Ethics (Pl. Depo. Ex. 3) (D-000003 to -17)
2.	CSX Transportation, Inc. Policy Statement on Equal Employment Opportunity (dated 1/31/06) (Pl. Depo. Ex. 4) (D-000001 to -02)
3.	Plaintiff's handwritten statement (dated 6/07/06) (Pl. Depo. Ex. 5) (P-000325 to -326)
4.	RCO Certification Card Incident investigation memo (Pl. Depo. Ex. 6) (D-000023 to -24)
5.	Plaintiff's EEOC charge dated 6/19/2006 (Pl. Depo., Ex. 17)
6.	Plaintiff's amended EEOC charge dated 8/14/2006 (Pl. Depo., Ex. 18)
7.	EEOC's Notice of Right to Sue dated 10/20/2006 (Pl. Depo., Ex. 19)
8.	E-mail from Plaintiff to Bob Frulla dated 5/27/06 (Pl. Depo., Ex. 24) (P-000337)
9.	E-mail from Plaintiff to Rod Workman dated 5/27/06 (Pl. Depo., Ex. 25) (P-000338)
10.	Plaintiff's resume (Pl. Depo., Ex. 12) (D-000028 to -32)
11.	Job posting for Assistant Manager Customer Operations position (Pl. Depo., Ex. 13) (D-000018)
12.	Job posting for Montgomery Terminal Manager position (Pl. Depo., Ex. 14) (D-000019)
13.	Job posting for Pensacola Trainmaster position (Pl. Depo., Ex. 15) (D-000021 to -22)
14.	Job posting for Atlanta Assistant Terminal Superintendent position (Pl. Depo., Ex. 16) (D-000020)
15.	Resume of Timothy Grayson (D-000058 to -59)
16.	Resume of Alfred Odom (D-000292 to -293)
17.	Resume of Jason Tipton (D-000350 to -352)

<u>DEF. NO</u>	<u>DESCRIPTION</u>
18.	Resume of Terrance Walton (D-000448 to -449)
19.	Resume of William Setser (D-000423 to -424)
20.	Microsoft Outlook calendar entry regarding interviews for Pensacola Trainmaster position (D-000427)
21.	Plaintiff's 2005 performance evaluation (D-000480 to -488)
22.	Plaintiff's 2004 performance evaluation (D-000489 to -498)
23.	Plaintiff's 2003 performance evaluation (D-000499 to -507)
24.	Plaintiff's 2002 performance evaluation (D-000508 to -516)
25.	Plaintiff's 2006 earnings report (D-000518)
26.	Plaintiff's 2006 income tax returns (P-000171 to -212)
27.	Plaintiff's 2005 earnings report (D-000519)
28.	Plaintiff's 2005 income tax returns (P-213 to -244)
29.	Miscellaneous e-mails from Dale Barnett forwarded to Jimmy Weekley on 12/1/06 (Pl. Depo. Ex. 7) (P-000278 to -280)

Defendant reserves the right to reorder and/or rearrange these exhibits, and to use selected excerpts from longer documents (deleting irrelevant sections), and to substitute identical copies with other bates numbers than the ones listed, provided advance notice is given to Plaintiff. Defendant also reserves the right to use additional damages information that has not yet been produced by Plaintiff and will supplement its exhibit list accordingly. Defendant also reserves the right to use any exhibits from Plaintiff's exhibit list.

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Civil Action No. 2:06-CV-1099-WKW-CSC

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2008 I electronically filed the foregoing **DEFENDANT'S PRETRIAL DISCLOSURES** with the Clerk of Court using the EM/ECF system, which will automatically send e-mail notification of such filing to the following attorney of record. I also certify that I served a copy via U.S. mail:

Gary E. Atchison, Esq.
P.O. Box 2002
492 S. Court St.
Montgomery, AL 36102
Telephone: (334) 262-7232

/s/ Daniel P. Hart
Attorney for Defendant
CSX Transportation, Inc.